

REMARKS

The Office Action mailed March 20, 2006 has been received and reviewed. By the present Response and Amendment, Claims 1, 12, 23 and 24 are amended to more clearly define the invention. New Claim 25 is added. No new matter is introduced.

Claim 1 stands rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,699,754 to Cahajla. Applicant respectfully traverses. Claim 1 includes the feature of a "moisture-resistant plastic stranded material woven onto said frame to present the appearance of a rattan material". This feature is not disclosed by the Cahajla reference. The Examiner asserts that Column 3, lines 60-63 of the Cahajla reference shows this feature of the claimed invention. But this portion of the Cahajla reference actually discloses a "perforated," "screen-like structure, such as that of a plastic colander" There is no suggestion of a stranded material woven onto a frame, as claimed. Nor can the structure described at Column 3, lines 60-63 of the Cahajla reference be considered to present the appearance of a rattan material, as claimed. This can be verified easily with reference to Figure 2, which provides the best view of the "top 16" of the Cahajla structure that is described at Column 3, lines 60-63, which clearly does not look like a rattan weave. Accordingly, reconsideration and withdrawal of the §102 rejection is respectfully requested.

Claims 2-17, 23 and 24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,699,754 to Cahajla in view of U.S. Patent No. 6,230,915 to Liu. Applicant respectfully traverses. First, each of Claims 2-11, 16, and 17 include the feature of a "moisture-resistant plastic stranded material woven onto said frame to present the appearance of a rattan material". As detailed above, Cahajla does not disclose or suggest this claim element. Nor does the Liu reference disclose or suggest this claim element, as Liu is directed to a basket made of actual natural rattan, rather than a "plastic stranded material," as claimed. Proximity to a pet litter pan would cause natural rattan to absorb moisture and odors, which is undesirable, and which is avoided through the use of the claimed plastic stranded material.

Claims 12-15 and 23 include the feature of “a pair of rails” along the interior face of one of the claimed enclosure’s panels, for sliding a litter pan along during insertion and removal of the litter pan from the enclosure. This feature is not disclosed or suggested by Cahajla or Liu, or by any combination thereof. The Examiner has applied the “outer peripherally-extending lip 32” of the litter tray 12 of Cahajla to Applicant’s claimed “rail”. But the lip 32 of Cahajla is not a “rail”, as that term would be understood by one skilled in the art. Nor can a litter pan be slid along the lip 32 of Cahajla during insertion and removal of the pan, as is specified in Applicant’s claims, because the lip 32 is *part of* the litter pan itself. See column 2, lines 52-59 of Cahajla. And moreover, each of Applicant’s Claims 12-15 and 23 now require a “pair” of rails, whereas the litter tray 12 of Cahajla includes only a single lip 32.

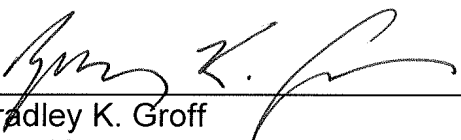
Claim 24 includes the feature of Applicant’s enclosure whereby “panels are attached to one another by connector feet for engaging adjacent panels”. This feature is not disclosed or suggested by Cahajla or Liu, or by any combination thereof. The Examiner has applied the “extension 42” and the “horizontal rods 43” of Liu’s “third connector 4” to applicant’s connector feet. But no portion of Liu’s connector serves as a “foot”, as that term would be understood by one skilled in the art. Accordingly, this component cannot properly be applied to Applicant’s claimed “connector feet”. Furthermore, the extension 42 and horizontal rods 43 of Liu’s third connector 4 are specifically indicated to engage corresponding features of Liu’s “first connector 3”, rather than “engaging adjacent panels” as recited in Applicant’s claim 24. See column 23 lines 4-17 of Liu.

Because these features of applicant’s claims are not disclosed or suggested in Cahajla or in Liu, no combination of these references can properly support an obviousness rejection under §103. Accordingly, reconsideration and withdrawal of the stated grounds of rejection is respectfully requested.

CONCLUSION

In view of the amendments submitted herein and the above comments, it is believed that all grounds of rejection are overcome and that the application has now been placed in full condition for allowance. Accordingly, Applicant earnestly solicits early and favorable action. Should there be any further questions or reservations, the Examiner is urged to telephone Applicant's undersigned attorney at (770) 984-2300.

Respectfully submitted,



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